United Nations A/67/163

General Assembly

Distr.: General
19 July 2012

Original: English

Sixty-seventh session
Item 70 (b) of the provisional agenda*
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Globalization and its impact on the full enjoyment of all human rights

Report of the Secretary-General

Summary

The present report is submitted in response to General Assembly resolution 66/161, in which the Assembly requested the Secretary-General to continue to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the Assembly at its sixty-seventh session a substantive report on the subject based on those views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights. The present report summarizes the views received from the Governments of Argentina, Azerbaijan, Cuba, Estonia, Guatemala, the Sudan and the United Arab Emirates, as well as the Food and Agriculture Organization of the United Nations, the International Labour Organization, the United Nations Industrial Development Organization, the World Bank and the World Trade Organization. It concludes by identifying common themes and making recommendations on how to address the impact of globalization on the full enjoyment of all human rights.

* A/67/150.

12-43030 (E) 310712

Please recycle

I. Introduction

1. In its resolution 66/161, the General Assembly took note of the report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/66/293) and requested him to continue to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the Assembly at its sixty-seventh session a substantive report on the subject based on these views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

2. Pursuant to that request, on 19 April 2012, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sent a request for views on the issue. As at 30 June 2012, OHCHR had received responses from the Governments of Argentina, Azerbaijan, Cuba, Estonia, Guatemala, the Sudan and the United Arab Emirates, as well as the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organization (ILO), the United Nations Industrial Development Organization (UNIDO), the World Bank and the World Trade Organization (WTO).[1] Those views most relevant to the subject matter are summarized below.

II. Replies received

A. Member States

Argentina

3. The Government of Argentina stated that the promotion and protection of all human rights was a responsibility of the State and that globalization affected all States differently, as reflected in their human rights obligations. Argentina sought to be a State where all human rights could be exercised regardless of external events and their positive or negative impacts. The various actions of the Government of Argentina, including the development of its public policies and its ratification of international treaties, were means of responding to the challenges and opportunities presented by globalization. The submission of Argentina concluded with a quotation by its Secretary for Human Rights with regard to the importance of creating a culture for human rights and the rule of law.

Azerbaijan

4. The Government of Azerbaijan noted that globalization presented both challenges and opportunities that varied for each State and changed over time. On the one hand, globalization could improve welfare throughout the world, while on the other hand, it could cause a number of difficulties, including the inequitable distribution of wealth, the unequal distribution of power among States and the potential risk of global destabilization of financial systems as a result of their growing interdependence. Azerbaijan stated that the risks posed by globalization were magnified for developing countries and included higher unemployment, growing technological deficits between developed and developing countries,

[1] The texts of the original submissions are on file with the Secretariat and are available for consultation.

socioeconomic stratification, dependence on international financial stability, expansion of foreign debt and the undue or excessive influence of transnational corporations.

5. Azerbaijan stated its belief that Governments must take measures to adapt to and take advantage of changing conditions in the new globalized economy. In that regard, Azerbaijan noted its involvement in the international community; its participation in the Transport Corridor Europe Caucasus Asia programme entitled "The Great Silk Way", as a means of developing trade opportunities related to its location along major transport corridors; and its increased focus on infrastructural projects and employment. Azerbaijan noted in particular its efforts to cooperate with the European Union and further integrate itself with the rest of Europe by participating in the Council of Europe and the Organization for Security and Cooperation in Europe and cooperating with the North Atlantic Treaty Organization.

6. Azerbaijan understood globalization to be not only an economic process but also one with cultural, social, legal, political and environmental dimensions that directly affect human rights and fundamental freedoms. One particular concern was the application of human rights norms in the context of increased migration in a globalizing world. In its submission, Azerbaijan expressed regret about the difficulties experienced by many of its citizens who had become refugees. Azerbaijan was committed to guaranteeing the enjoyment of human rights by its citizens, recognizing and protecting their unique cultural values, pursuing the rapid and effective settlement of migration issues and guaranteeing the constant improvement and independence of its judicial system.

Cuba

7. The Government of Cuba stated that the United Nations, particularly the General Assembly, should be the forum for addressing the process of globalization because it was the most universal and representative. It believed that the benefits of globalization should go to all the peoples of the world and all the sectors within every State. Cuba stated that globalization should transform itself into a positive force for all peoples and States. However, it claimed that the costs and benefits of globalization were distributed inequitably and that developing countries had unique difficulties in addressing this problem.

8. According to Cuba, the global economic crisis, widespread speculative competition, the business of war, the pattern of production and consumption based on hydrocarbon and biofuels, systematic harm to the environment and the crises of health reflected the failure of the system and the process of neoliberal globalization. It stated that this process had diminished the role of States and their economic and financial capacity to realize the right to development, and to maintain, offer and guarantee basic public services, thus increasing the inequality of access to and the deprivation of economic, social and cultural rights. According to Cuba, neoliberal globalization constituted a new conquest of developing countries by industrial powers with impacts on the right to self-determination of peoples.

9. Cuba stated that the world was far from realizing the right of all persons to a social and international order in which their rights and freedoms are realized, as proclaimed over 50 years ago in the Universal Declaration of Human Rights. It expressed concern that civil and political rights had been divorced from and raised above economic, social and cultural rights in direct contradiction to the Vienna

Declaration and Programme of Action of 1993. Cuba claimed that restrictions in the movement of people between the South and the North and the free transfer of technology furthered the interests of developed countries at the expense of developing countries.

10. Cuba called for the adoption of a new development paradigm that accounted for the interests and needs of developing countries. It stated that international cooperation and an international order favourable to the realization of all human rights should be promoted by the international community in a spirit of global solidarity. Cuba expressed its belief that if developed States showed real political will, they could improve the lives and development of millions of people with relatively few resources. It emphasized the importance of development as a central element of the international economic agenda with the goal of eradicating poverty and eliminating the gaps between rich and poor. Cuba expressed its belief that it was necessary to establish an equitable international system that is transparent and democratic, through which profound, integral and innovative measures to promote development can be simultaneously applied, starting with the cancellation of sovereign debts, the increase of official and unconditional development aid, the recognition of the need for special and differential treatment for developing countries and the reformation and democratization of the United Nations.

Estonia

11. The Government of Estonia stressed the importance of democratic and accountable governance as a basis for eradicating poverty and protecting human rights. As a member of the European Union, Estonia expressed support for economically sustainable and development-oriented trade and assistance policies towards developing countries. Estonia expressed its belief that trade was a tool for achieving food security and the right to food. Estonia was sure that the problem lay not with availability of food but with its accessibility and affordability. Estonia proposed a human rights-based approach to agricultural trade that recognized the importance of the agricultural sector to the subsistence of people living in developing countries and focused on supporting vulnerable individuals and groups. Estonia urged WTO to lift any export restrictions and taxes on food purchased by the World Food Programme for humanitarian aid. Estonia welcomed the Secretary-General's initiative to forge a new generation of sustainable development goals that build on the Millennium Development Goals.

12. The Ministry of Culture of Estonia believed that globalization provided an opportunity to experience world culture but simultaneously threatened cultural diversity, making it necessary for all countries to ensure the continued existence of such diversity. The Ministry described its efforts to digitize cultural heritage as a positive means of preserving cultural diversity. It expressed its concerns and views regarding the free exchange of information. In order for human rights to be fully realized, it was necessary for States to avoid filtering or limiting Internet use and to ensure media freedom. Estonia expressed its belief that efforts to harness the opportunities presented by globalization required the modification of copyright regulations in order to grant everyone the right to copy and distribute digital information for personal use. Estonia noted that its Copyright Act permitted the copying of all cultural products for personal use and allowed for authors to be compensated by the Government of Estonia.

Guatemala

13. The Government of Guatemala recognized that globalization was a process involving increased interdependence among countries and their citizens and that it had economic, social, political, environmental, cultural and legal dimensions. As a participant in negotiations for the free trade agreement between the United States and many Latin American countries, Guatemala had been actively engaged in the globalization debate. It its submission, Guatemala described its efforts to promote development in the context of globalization.

14. Guatemala noted the impact of the international financial crisis and its efforts to promote crisis recovery. In 2009, Guatemala enacted the National Emergency and Economic Recovery Plan. The Plan modified Guatemala s National Budget Law for the 2009 fiscal year, granting the executive branch exceptional powers to adjust budget allocations for the purpose of balancing the budget. Governmental agreements helped to put in place austerity measures to further restrain public spending. The Guatemalan Central Bank reduced interest rates on multiple occasions and took measures to prevent currency volatility. Additionally, the Government of Guatemala and the International Monetary Fund signed a standby agreement as a precautionary measure in case of an overwhelming deficit scenario.

Sudan

15. The Government of the Sudan stated that it recognized the important impact of globalization on improving society culturally, economically, socially and politically. The Sudan stated that globalization could be a tool to improve the human rights situation in different countries around the world but could also negatively affect different cultures, religions, customs and values prevailing in different communities. The Sudan stated that there was a need to adopt international measures to address the challenges that globalization posed to certain countries. Those challenges included the fair and equal treatment of human rights principles by the international community; the prevention of adverse impacts from globalization on cultures; the prevention of powerful States from using the language of globalization and human rights to superimpose their will on less powerful States; transnational enterprises and their impact on the enjoyment of socioeconomic rights; the development of a treaty to regulate globalization and the enjoyment of human rights; and obtaining a global commitment for the eradication of poverty and advancement of developing countries in issues of foreign debt and technical and financial support. The Sudan emphasized the significant role that the United Nations could play in maximizing the positive impacts of globalization and minimizing its negative impacts for the enjoyment of human rights worldwide.

United Arab Emirates

16. The Government of the United Arab Emirates stated that it aimed to promote and safeguard human dignity and rights by enhancing the human status through the respect of rights, freedoms and human values embodied in its Constitution and national legislation. The United Arab Emirates had introduced a number of initiatives, measures and procedures at the national and international levels to reduce the potential negative impacts of globalization. The President of the United Arab Emirates had issued initiatives to address the effects of the global economic crisis and to enhance the economic status of citizens with the objective of

supporting social and family stability. Those initiatives aimed at developing, modernizing and improving performances and services in various fields, focusing on infrastructure development and the improvement of economic, social and health conditions.

17. The United Arab Emirates avoided trade protectionism policies and restriction of free trade. It supported a multi-system business approach to prevent trade protectionism, provide stability, transparency and credibility in international trade and secure long-term international economic growth. The United Arab Emirates stated that it had an exemplary legislative structure that observed the principles of international trade and supported sustainable development.

B. United Nations organizations

Food and Agriculture Organization of the United Nations

18. FAO expressed its belief that decision makers needed timely, reliable and comprehensive data in order to evaluate the impact of globalization on human rights and monitor the progress of their policies. FAO not only provided instruments to allow decision makers to do so, but also developed capacity within countries for sustainable development. FAO was involved in a number of important initiatives of relevance to globalization and its impact on human rights. Several of those initiatives involved the promotion of the collection and exchange of information pertaining to agriculture, including the Agricultural Market Information System, the Global Strategy to Improve Agricultural and Rural Statistics, the FAO statistical database platform and the technology system for food and agriculture statistics at the national and subnational levels.

19. At the global level, FAO was an active member of the Human Rights Mainstreaming Mechanism, established by the United Nations Development Group to strengthen the integration of human rights in operational activities of the United Nations. At the regional level, FAO supported initiatives such as the Hunger-Free Latin America and the Caribbean 2025 Initiative, which was a country-led commitment to eradicate hunger, implement the right to food and adopt a participative and collaborative approach to share experiences and mobilize stakeholders around this common goal. The initiative played an active role in placing the right to food at the top of political agendas in the region and helping countries to include provisions in their domestic law, which may include their constitutions, bills of rights or legislation, to directly implement the progressive realization of the right to adequate food. FAO had supported civil society organizations, universities and an increasing number of national human rights institutions, including ombudspersons and human rights commissioners, in collaboration with other United Nation partners and regional institutions, to increase their capacities to monitor the right to food. Reports on the right to food were being adopted as a regular activity in many countries. At the grass-roots level, FAO worked in such countries as Bolivia (Plurinational State of), Ecuador, Peru, Sierra Leone, Uganda and the United Republic of Tanzania to help local institutions and communities to implement actions and to strengthen their own institutions with participatory approaches that brought human rights principles such as empowerment, accountability or equity to the day-to-day life of the people.

20. Finally, the efforts of FAO to advance its "One Health" approach illustrated the linkages between the right to food and other human rights. FAO stated that global health security implied protecting human and animal health and creating a healthy environment. Managing health and environmental risks required a holistic and multidisciplinary approach, paying particular attention to the animal-human-ecosystem interface, and placing health dynamics in the broader context of agriculture and socioeconomic development and environmental sustainability. The "One Health" approach required engagement and strong coalitions among a wide array of stakeholders and partners at the local, country, regional and international levels. Collaboration between countries created bridges between cultures, fostered trust and South-South cooperation, reduced disease burdens and increased food intake.

International Labour Organization

21. ILO submitted a list of its most recent documents of relevance to the theme of the present report, including the report entitled "Giving globalization a human face",[2] issued as part of its general survey on the fundamental conventions concerning the right to work, in the light of its Declaration on Social Justice for a Fair Globalization. It also included the reports entitled "Fundamental principles and rights at work: from commitment to action", prepared for a recurrent discussion under the ILO Declaration on Social Justice for a Fair Globalization and the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work;[3] and "World of Work Report 2012: Better jobs for a better economy".[4]

United Nations Industrial Development Organization

22. UNIDO stated that globalization had generated undeniable benefits in terms of higher economic growth and incomes, better living standards, poverty reduction and access to essential services. The success of countries such as Brazil, China, Germany, India, Japan, Malaysia, the Republic of Korea and Singapore in realizing people's right to development would have been inconceivable in the absence of globalization. It was no longer possible to think of a country's economic growth as a purely internal process. Open trade and the internationalization of capital had enabled countries and their citizens to benefit from global demand for their products and from new sources of funding. Increased competition and technology transfers had led to enhanced efficiency and productivity gains. Countries able to exploit those factors had managed to leapfrog several stages of the normal development process. On the downside, in a globalized and integrated world, almost all problems spilled over borders. The painful consequences of social, economic and environmental shocks spreading from one country to another had been starkly demonstrated by the recent financial, food and fuel crises. Developing countries were especially vulnerable to the effects of external shocks, with the world's poorest and most marginalized people bearing the brunt of crises they did not cause and having their human rights further curtailed.

---

[2] Available from www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_174846.pdf.

[3] Available from www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_176149.pdf.

[4] Available from www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_179453.pdf.

23. Industrial development could help bring about structural change to set the economies of poor countries on a path of sustained economic growth. Industry provided a seedbed for entrepreneurship, promoted business investment, fostered technological upgrading and dynamism, improved human skills, created jobs and established the foundation on which both agriculture and services may expand and integrate into the global economy. UNIDO was the specialized agency of the United Nations mandated to promote industrial development and international industrial cooperation. UNIDO had always subscribed to the basic principles and norms of the United Nations, including support for human rights. Although its constitution did not prima facie endow the organization with a human rights-related mandate, UNIDO, through all its activities in the areas of poverty reduction and sustainable development, fully supported the Declaration on the Right to Development and the 2005 World Summit Outcome in the context of promoting fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization.

24. Finally, UNIDO was a member of the United Nations Development Group Human Rights Mechanism, through which it was engaging with 18 other United Nations agencies on how a human rights-based approach to development could be mainstreamed across the United Nations development system, including at the country level through United Nations development assistance frameworks. The growing partnerships between UNIDO and the private sector also emphasized corporate social responsibility, including the protection and promotion of human rights. UNIDO was a member of the Global Compact, which brings together the United Nations and the business community to promote ethics and corporate social responsibility.

World Bank

25. The World Bank stated that globalization was not only an economic process, but also had social, political, environmental, cultural and legal dimensions. That fact was important and underpinned much of its activities. The World Bank strove to promote fair globalization and sustainable development through all of its activities, which contributed to the promotion of human rights in many different areas. In that context, the World Bank acknowledged the connection between promoting human rights and promoting development. It described its approach to human rights as broadly supportive of human rights discourse without being explicitly engaged in it. The World Bank worked closely with partners in the broader United Nations system on issues related to fair globalization and sustainable development, including joint efforts with OHCHR to help countries to incorporate human rights considerations into their poverty reduction strategies.

26. The World Bank described its report on gender equality and development as a tool to help countries and international partners to analyse gender equality and integrate a gender equality-based focus into policy development and programming. In the report, the World Bank recognized that gender equality was a core development objective in its own right and had economic implications in that it could enhance productivity, improve development outcomes and make institutions more representative. The World Bank also described its role as Trustee of the Global Agriculture and Food Security Programme, a multilateral mechanism to assist in the implementation of pledges made by the Group of Twenty to promote agriculture and food security by supporting the public and private sectors. The Programme

addressed the underfunding of country and regional agriculture and the food security strategic investment plans that were already being developed by countries, in consultation with donors and other stakeholders. Finally, the World Bank described its Strategic Framework on Development and Climate Change, which was specifically aimed at providing effective support for sustainable development and poverty reduction in developing countries by addressing climate change risks, harnessing climate-related economic opportunities and promoting global actions and interactions by all countries. A closing report was being prepared that would describe the progress that the World Bank Group had made in mainstreaming climate change measures throughout its portfolio.

World Trade Organization

27. WTO stated that the General Assembly continued to underline the importance of multilateral mechanisms for meeting the current challenges and opportunities that globalization presents. As one of those mechanisms, WTO carried out its mandate to promote and strengthen the multilateral trading system and global prosperity.

28. The ultimate goal of trade and of WTO was to support the well-being of persons, their environment and the improvement of living conditions. In the preamble to the Marrakesh Agreement, the parties to the Agreement recognized that their relations should be conducted with a view to raising standards of living, ensuring full employment and a large and steadily growing volume of real income and effective demand.

29. The multilateral trading system and its founding principles were complementary to the fulfilment of human rights. Both systems were of prime importance to maintaining world peace and bringing about more stable international relations. National treatment and most favoured nation treatment, the core principles of the multilateral trading system, had much in common with human rights issues concerning individual freedom, non-discrimination, equal opportunities and respect for the rule of law.

30. According to WTO, the opening of trade could play an important role in supporting the fulfilment of human rights, by creating the conditions necessary to enhance economic welfare and the enjoyment of such human rights as employment or access to education. Without the economic gains generated by the division of labour and trade, the human rights objectives of protecting human dignity and autonomy could not be guaranteed. However, that was not an automatic process and presupposed that existing rules were global, just and reflective of all who adhered to them. In order to adapt to the changing realities of the multilateral trading system and prioritize the development dimension of the organization's mandate, WTO members launched the Doha Development Agenda in 2001. The strongest drivers for change were the evolving economic, social and environmental circumstances and a shared need to address development and poverty challenges.

31. WTO stated that the multilateral trading system had contributed significantly to economic growth, development and employment. As established in a recent study by the Organization for Economic Cooperation and Development on trade and jobs, greater market openness was a necessary condition for sustained improvement of economic performance, including improved productivity, higher incomes and new job opportunities. Overall, countries that had embraced openness had been more successful in sustaining growth and moving up the development ladder than those

that had not. Trade had generated gains for many developing countries, although the reverse effects that collapsing trade volumes could have on growth, employment and overall stability became clear during the 2008 financial and economic crises.

32. WTO claimed that the economic and developmental benefits brought about by the multilateral trading system could go a long way towards helping countries to achieve the Millennium Development Goals and promote sustainable development. The fulfilment of Goal 8, on building a global partnership for development, was close to the core business of WTO. The six targets that made up that Goal demonstrated that the international community recognized open trade to be an important engine for development. The target of furthering an open, rule-based, predictable, non-discriminatory trading and financial system corresponded with the idea of a global partnership, as enshrined in the mandate of WTO. Moreover, the target that called for flexibilities and policy space for least developed countries was actively promoted by WTO by prioritizing development in the Doha Development Agenda.

33. Finally, WTO noted that, while trade played a central role in the promotion of development, enhanced market access opportunities alone were not enough. Therefore, WTO placed great emphasis on the supportive role of Aid for Trade, which aimed at providing financial and technical assistance to developing countries to address supply-chain constraints and trade bottlenecks. Aid for Trade was regularly discussed in meetings of the Trade and Development Committee, the annual Aid-for-Trade debate at the General Council and the global reviews on Aid for Trade. WTO continued to play an active part in the promotion of development, not only through its coordinating role in Aid for Trade, but also by being a firm supporter of the output already produced by the Enhanced Integrated Framework.

III. Conclusions and recommendations

34. **The present report summarizes responses from States and relevant United Nations agencies regarding globalization and the enjoyment of human rights. All respondents agree that globalization is a process with important human rights implications and economic, social, cultural, political, environmental and legal dimensions. Responses indicate that globalization poses both opportunities and challenges.**

35. **In the context of the enjoyment of human rights, State respondents cited their concerns about, among other issues, loss of cultural diversity, the growing influence of transnational companies and the growing inequality and financial instability caused by the recent financial crisis. They also discussed the need to take advantage of opportunities posed by globalization by participating in appropriately regulated trade, developing new industries, engaging with international mechanisms and promoting social welfare and development at home and internationally.**

36. **United Nations agency respondents summarized their efforts to promote a human rights-based approach to development in their endeavours.**

37. **The responses reveal that globalization is changing the way States and United Nations agencies view the world and that there is increasing awareness of the interconnectedness of people, nations, financial systems, the environment,**

trade and human rights. It is critical that States take a human rights-based approach both domestically and internationally to address issues of common concern in a globalized world, including equality, financial regulatory reform, migration, food security, climate change and trade. United Nations agencies share that responsibility and, where possible, should provide technical support for the identification, promotion and elaboration of measures designed to equitably distribute the benefits of globalization while mitigating risks.